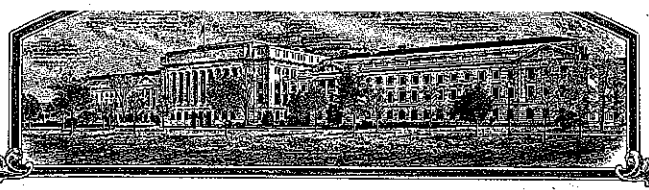


No. 200000030

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pioneer Hi-Bred International, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'94B45'

In Testimony Whereof, *I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-third day of March, in the year of our Lord two thousand one.*

Attest:

Acting Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

REPRODUCE LOCALLY. *Include form number and date on all reproductions.*

FORM APPROVED - OMB NO. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE DIVISION - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a).

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) *(as it is to appear on the Certificate)*

Pioneer Hi-Bred International, Inc.

2. EXPERIMENTAL NUMBER

3. VARIETY NAME

94B45

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*

7300 NW 62nd Ave
P.O. Box 1004
Johnston, Iowa 50131-1004

5. TELEPHONE *(include area code)*

515-270-3582

6. FAX *(include area code)*

515-253-2288

FOR OFFICIAL USE ONLY

PVPO NUMBER 2000 0030

FILING DATE 10/14/99

FEES RECEIVED
FILING AND EXAMINATION FEE: $ 2450.00
DATE 10/14/99
CERTIFICATION FEE: $ 320.00
DATE 3/15/01

7. GENUS AND SPECIES NAME

Glycine max L.

8. FAMILY NAME *(Botanical)*

Leguminosae

9. CROP KIND NAME *(Common name)*

Soybean

10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION *(corporation, partnership, association, etc.) (Common name)*

Corporation

11. IF INCORPORATED, GIVE STATE OF INCORPORATION

Iowa

12. DATE OF INCORPORATION

May 6, 1926

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS

John Grace
7300 NW 62nd Ave.
P.O. Box 1004
Johnston, Iowa 50131-1004

Jean Bromert (Copy)
7100 NW 62nd Ave.
P.O. Box 1000
Johnston, Iowa 50131-1000

14. TELEPHONE *(include area code)*

515-270-3582

15. FAX *(include area code)*

515-253-2288

16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED *(Follow instructions on reverse)*

- a. ☑ Exhibit A. Origin and Breeding History of the Variety
- b. ☑ Exhibit B. Statement of Distinctness
- c. ☑ Exhibit C. Objective Description of the Variety
- d. ☑ Exhibit D. Additional Description of the Variety
- e. ☑ Exhibit E. Statement of the Basis of the Applicant's Ownership
- f. ☑ Voucher Sample *(2,600 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in a public repository)*
- g. ☑ Filing and Examination Fee ($2450), made payable to "Treasurer of the United States" *(Mail to PVPO)*

17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED *(See Section 83(a) of the Plant Variety Protection Act)?*

☐ YES *If "yes," answer items 18 and 19 below)* ☑ NO *If "no," go to item (20)*

18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?

☐ YES ☐ NO

19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?

☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?

☐ YES *(If "yes," give names of countries and dates)* ☑ NO

21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate

The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT *(Owner(s))*		SIGNATURE OF APPLICANT *(Owner(s))*	
D. John Grace, III			
Name *(Please print or type)* D. John Grace III		Name *(Please print or type)*	
CAPACITY OR TITLE Soybean Research Coordinator	DATE 10/5/99	CAPACITY OR TITLE	DATE

SD-470 (04-95) *(Previous editions are to be destroyed)*

(See reverse for instructions and information collection burden statement)

Exhibit A. Origin and Breeding History of the Variety

Soybean Variety 94B45

Variety 94B45 evolved from a 1994 cross of A4138/{9362/{9362/[9342/[9341/(9341/40-3-2)]]}}.

It is an F3-derived variety, which was advanced to the F3 generation by modified single seed descent. The F4 progeny row of 94B45 was grown in the winter of 1995-96. Subsequently, 94B45 has undergone three years of extensive testing and purification and has been observed by the breeder to be uniform and stable for all plant traits from generation to generation, with no evidence of variants. On the basis of soybean cyst nematode resistance, *Phytophthora* resistance, sudden death syndrome tolerance, yield potential, and resistance to labeled rates of Roundup brand herbicides, variety 94B45 was assigned a commercial number.

The purification block was grown during summer of 1997 and 39 sublines were bulked for increase. Two acres of 94B45 (breeders' seed) were grown in the winter of 1997-98. 33 acres of parent seed stock (foundation seed equivalent) were grown in the summer of 1998 and 1,386 bushels harvested.

Exhibit B. Statement of Distinctness

Soybean Variety 94B45

94B45 is most similar to A4138. Both 94B45 and A4138 have white flowers, tawny pubescence, yellow seed, black hila and are resistant to race 3 of soybean cyst nematode (*Heterodera glycines*). However, A4138 is susceptible to the application of labeled rates of Roundup brand herbicides whereas 94B45 is resistant.

94B45 is similar to 9362. Both 94B45 and 9362 have white flowers, yellow seed, are resistant to race 3 of soybean cyst nematode (*Heterodera glycines*), and resistant to race 1 of *Phytophthora megasperma* var. sojae. However, 9362 has grey pubescence, buff hila and is susceptible to the application of labeled rates of Roundup brand herbicides whereas 94B45 has tawny pubescence, black hila and is resistant to labeled rates of Roundup brand herbicides.

FORM APPROVED: OMB NO. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SEED DIVISION - PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Soybean)

OBJECTIVE DESCRIPTION OF VARIETY

SOYBEAN (Glycine max L.)

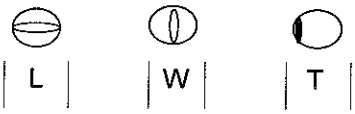
NAME OF APPLICANT(S)	TEMPORARY DESIGNATION	VARIETY NAME
Pioneer Hi-Bred International, Inc.		94B45

ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code)*
7300 N.W. 62nd Ave., P.O. Box 1004
Johnston, IA 50131-1004

FOR OFFICIAL USE ONLY
PVPO NUMBER 200000301

Choose the appropriate response which characterizes the variety in the features described below. When the number of significant digits in your answer is fewer than the number of boxes provided, place a zero on the first box when number is 9 or less (e.g., [0][9]). Starred characters ★ are considered fundamental to an adequate soybean variety description. Other characters should be described when information is available.

1. SEED SHAPE:



[2]

1 = Spherical (L/W, L/T, and T/W ratios = < 1.2)
2 = Spherical Flattened (L/W ratio > 1.2; L/T ratio = < 1.2)
3 = Elongate (L/T ratio > 1.2; T/W = < 1.2)
4 = Elongate Flattened (L/T ratio > 1.2; T/W > 1.2)

★ 2. SEED COAT COLOR: (Mature Seed)

[1] 1 = Yellow 2 = Green 3 = Brown 4 = Black 5 = Other (Specify)

3. SEED COAT LUSTER: (Mature Hand Shelled Seed)

[1] 1 = Dull ('Corsoy 79'; 'Braxton') 2 = Shiny ('Nebsoy'; 'Gasoy 17')

★ 4. SEED SIZE: (Mature Seed)

[1][4] Grams per 100 seeds

★ 5. HILUM COLOR: (Mature Seed)

[6] 1 = Buff 2 = Yellow 3 = Brown 4 = Gray 5 = Imperfect Black 6 = Black 7 = Other (Specify)

★ 6. COTYLEDON COLOR: (Mature Seed)

[1] 1 = Yellow 2 = Green

★ 7. SEED PROTEIN PEROXIDASE ACTIVITY:

[ ] 1 = Low 2 = High

★ 8. SEED PROTEIN ELECTROPHORETIC BAND:

[ ] 1 = Type A (SP1 a) 2 = Type B (SP1 b)

★ 9. HYPOCOTYL COLOR:

[2] 1 = Green only ('Evans'; 'Davis') 2 = Green with bronze band below cotyledons ('Woodworth'; 'Tracy')
3 = Light Purple below cotyledons ('Beeson'; 'Pickett 71')
4 = Dark Purple extending to unifoliate leaves ('Hodgson'; 'Coker Hampton 266A')

★ 10. LEAFLET SHAPE:

[3] 1 = Lanceolate 2 = Oval 3 = Ovate 4 = Other (Specify)

11. LEAFLET SIZE:

[2] 1 = Small ('Amsoy 71'; 'A5312') 2 = Medium ('Corsoy 79'; 'Gasoy 17')
3 = Large ('Crawford'; 'Tracy')

12. LEAF COLOR:

[2] 1 = Light Green ('Weber'; 'York') 2 = Medium Green ('Corsoy 79'; 'Braxton')
3 = Dark Green ('Gnome'; 'Tracy')

★ **13. FLOWER COLOR:**

[1] 1 = White 2 = Purple 3 = White with purple throat

★ **14. POD COLOR:**

[1] 1 = Tan 2 = Brown 3 = Black

★ **15. PLANT PUBESCENCE COLOR:**

[2] 1 = Gray 2 = Brown (Tawny)

16. PLANT TYPES:

[2] 1 = Slender ('Essex'; 'Amsoy 71') 2 = Intermediate ('Amcor'; 'Braxton')
3 = Bushy ('Gnome'; 'Govan')

★ **17. PLANT HABIT:**

[3] 1 = Determinate ('Gnome'; 'Braxton') 2 = Semi-Determinate ('Will')
3 = Indeterminate ('Nebsoy'; 'Improved Pelican')

★ **18. MATURITY GROUP:**

[0][7] 1 = 000 2 = 00 3 = 0 4 = I 5 = II 6 = III 7 = IV 8 = V
9 = VI 10 = VII 11 = VIII 12 = IX 13 = X

★ **19. DISEASE REACTION:** (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

BACTERIAL DISEASES:

★ [0] Bacterial Pustule *(Xanthomonas phaseoli var. sojensis)*

★ [1] Bacterial Blight *(Pseudomonas glycinea)*

★ [0] Wildfire *(Pseudomonas tabaci)*

FUNGAL DISEASES:

★ [1] Brown Spot *(Septoria glycines)*

Frogeye Leaf Spot *(Cercospora sojina)*

★ [0] Race 1 [0] Race 2 [0] Race 3 [0] Race 4 [0] Race 5 [ ] Other (Specify)

[0] Target Spot *(Corynespora cassiicola)*

[0] Downy Mildew *(Peronospora trifoliorum var. manshurica)*

[0] Powdery Mildew *(Microsphaera diffusa)*

★ [2] Brown Stem Rot *(Cephalosporium gregatum)*

[0] Stem Canker *(Diaporthe phaseolorum var. caulivora)*

Variety Name 94B45 20000030

19. DISEASES REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant) (Continued)

FUNGAL DISEASES: (Continued)

★ [1] Pod and Stem Blight *(Diaporthe phaseolorum var; sojae)*

[0] Purple Seed Stain *(Cercospora kikuchii)*

[1] Rhizoctonia Root Rot *(Rhizoctonia solani)*

Phytophthora Rot *(Phytophthora megasperma var. sojae)*

★ [2] Race 1 [0] Race 2 [0] Race 3 [0] Race 4 [2] Race 5 [0] Race 6 [0] Race 7

[0] Race 8 [0] Race 9 [ ] Other (Specify)

VIRAL DISEASES:

[1] Bud Blight (Tobacco Ringspot Virus)

[1] Yellow Mosaic (Bean Yellow Mosaic Virus)

★ [1] Cowpea Mosaic (Cowpea Chlorotic Virus)

[1] Pod Mottle (Bean Pod Mottle Virus)

★ [1] Seed Mottle (Soybean Mosaic Virus)

NEMATODE DISEASES:

Soybean Cyst Nematode *(Heterodera glycines)*

★ [0] Race 1 [0] Race 2 [2] Race 3 [0] Race 4 [2] Other (Specify) 14

[0] Lance Nematode *(Hoplolaimus Colombus)*

★ [0] Southern Root Knot Nematode *(Meloidogyne incognita)*

★ [0] Northern Root Knot Nematode *(Meloidogyne Hapla)*

[0] Peanut Root Knot Nematode *(Meloidogyne arenaria)*

[0] Reniform Nematode *(Rotylenchulus reniformis)*

[ ] OTHER DISEASE NOT ON FORM (Specify)

20. PHYSIOLOGICAL RESPONSES: (ENTER 0 = Not tested, 1 = Susceptible, 2 = Resistant)

★ [0] Iron Chlorosis on Calcareois Soil

[ ] Other (Specify)

21. INSECT REACTION: (ENTER 0 = Not tested, 1 = Susceptible, 2 = Resistant)

[0] Mexican Bean Beetle *(Epilachna Varivestis)*

[0] Potato Leaf Hopper *(Empoasca fabae)*

[ ] Other (Specify)

22. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED.

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant Shape	A4138	Seed Coat Luster	9362
Leaf Shape	A4138	Seed Size	A4138
Leaf Color	A4138	Seed shape	9342
Leaf Size	A4138	Seedling Pigmentation	9342

23. GIVE DATA FOR SUBMITTED AND SIMILAR STANDARD VARIETY : Paired Comparison Data

VARIETY	NO. OF DAYS MATURITY	PLANT LODGING SCORE	CM PLANT HEIGHT	LEAFLET SIZE		SEED CONTENT		SEED SIZE G/100 SEED	NO. SEEDS POD
				CM Width	CM Length	% Protein	% Oil		
Submitted 94B45	114.0	1.1	98			37.1	17.9	14.4	3
Name of Similar Variety A4138	114.4	2.3	98			37.1	18.3	14.6	3

PUBLICATIONS USEFUL AS REFERENCE AIDS FOR COMPLETING THIS FORM:

1. Caldwell, B.E., ed. 1973. Soybeans: Improvement, Production, and Uses. Amer. Soc. Agron. Monograph No. 16.
2. Buttery, B.R. and R.I. Buzzell. 1968. Peroxidase activity in seeds of soybean varieties. Crop Sci., 8: 722-725.
3. Hymowitz, T. 1973. Electrophoretic analysis of SBTI-A2 in the USDA soybean germplasm collection. Crop. Sci., 13: 420-421
4. Payne, R.C. and L.F. Morris. 1976. Differentiation of soybean cultivars by seedling pigmentation patterns. J. Seed Technol. 1:1-19

Exhibit D. Additional Description of the Variety

Soybean Variety 94B45

In Exhibit C we have identified variety 94B45 as susceptible to bacterial blight, brown spot, pod and stem blight, rhizoctonia root rot, bud blight, yellow mosaic, cowpea mosaic, pod mottle and seed mottle.

This does not mean that variety 94B45 is any worse for these problems than other varieties of similar maturity. Rather, we do not consider 94B45 to be immune to these problems. Therefore, we have chosen to be conservative and have identified the line as "susceptible".

If the maturity groups were divided into tenths, the relative maturity for 94B45 would be 4.4.

REPRODUCE LOCALLY. *Include form number and date on all reproductions.* FORM APPROVED - OMB NO. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. Name Of Applicant(s)

Pioneer Hi-Bred International, Inc.

2. Temporary Designation Or Experimental Number

3. Variety Name

94B45

4. Address *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*

7300 NW 62nd Ave
P.O. Box 1004
Johnston, Iowa 50131-1004

5. Telephone *(include area code)*

515-270-3582

6. Fax *(include area code)*

515-253-2288

7. PVPO Number

200000030

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, Please explain. ☑ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or U.S. based company? ☑ YES ☐ NO
If no, give name of country _____

10. Is the applicant the original owner? ☑ YES ☐ NO *If no, please answer one of the following:*

a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)?
☐ YES ☐ NO If no, give name of country _____

b. If original rights to variety were owned by a company(ies), is(are) the original owner(s) a U.S. based company?
☐ YES ☐ NO If no, give name of country _____

11. Additional explanation on ownership *(If needed, use reverse for extra space):*

PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. **If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.**
2. **If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.**
3. **If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.**

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA Office of Communications at 202-720-2600 (voice and TDD).
To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.